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James Moree, Dan O'Brien, and
8 the United States of America

9
10 UNITED STATES DISTRICT COURT
11 SOUTHERN DISTRICT OF CALIFORNIA

12 LUCIA PAMPLONA and JEREMIAH)
13 VINCENT PAMPLONA, a minor, by and)
through his Guardian as Litem Richard)
14 Pamplona, individually and as successors in)
interest to decedent Vincent S. Pamplona,)
JOSE PAMPLONA and ANGELITA)
15 PAMPLONA,)

16 Plaintiffs,)

17 v.)

18 NOIDA HERNANDEZ, ROMMIE)
HERNANDEZ, REMIE HERNANDEZ,)
19 DAVID HURLEY, JAMES MOREE,)
JOHN SARGENT, DAN O'BRIEN,)
20 BRYAN PINE individually and dba PINE)
RENTAL SERVICE, MARCUS)
21 GUERRERO, JLG INDUSTRIES, INC.)
and DOES 1 through 100, inclusive,)

22 Defendants.)
23

Case No. 08cv2205 IEG(BLM)


**ORDER OF SUBSTITUTION
OF UNITED STATES OF AMERICA AS
DEFENDANT, AMENDMENT AND
DISMISSAL**

24 Upon review and consideration of the Notice of Substitution of United States of America filed
25 herein by the United States of America and it appearing to the Court that this is a tort action that
26 includes claims against Department of Navy employees arising out of actions certified by the Attorney
27 General of the United States to have been taken within the scope of their employment as federal
28 employees,

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1 IT IS ORDERED, pursuant to 28 U.S.C. § 2679(d), that the United States of America shall be
2 substituted as a Defendant herein, in place of James Moree, Dan O'Brien and John Sargent, and the
3 case is hereby dismissed as to them, and that the title of the action be amended accordingly.

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5 **DATED: February 5, 2009**

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7 **IRMA E. GONZALEZ, Chief Judge**
8 **United States District Court**
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